

REMARKS

It is submitted that Claims 15-19 are directed to the same invention as Claims 5-14. And all of the claims should be examined and allowed together.

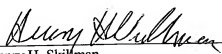
Claims 15-19 are directed to a cartridge comprising a body adapted to be inserted into an apparatus for performing optical analysis. Claim 15 (Amended) defines a test chamber within the body, and claims 16-19 define the test chamber with greater particularity.

Claims 5-14 are directed to a seal system for a test chamber. The components of the seal system set forth in independent claim 5 are each included in the test chamber defined in claim 15(Amended). Thus Claim 5 is directed to the same invention as claim 15(Amended). Claims of differing scope to the same invention should be examined together.

The Examiner takes the position that claim 15 is drawn to cartridge using magnetic poles. The cartridge does not have magnetic poles, but is constructed and arranged to be inserted into an apparatus with magnetic poles. The poles are not included in the claimed cartridge.

The Examiner takes the additional position that inventions I and II are related as subcombinations usable together. Invention II is not a subcombination. Invention I is a subcombination of Invention II. The fact that the subcombination may be used outside of the claimed combination does not render the subcombination ("Invention I") distinct from the combination ("Invention II"). Claim 15 includes every component recited in claim 5. The cartridge of claim 15 cannot be used without infringing claim 5.

For the foregoing reasons it is submitted that the requirement for restriction should be withdrawn.


Henry H. Skiffman
Reg. No. 17,352